

AMENDMENT TO THE DRAWINGS

With this amendment, a replacement drawing sheet of FIG. 1 is provided, in which reference numeral 10 generally referring to the figure has been added.

REMARKS

This is in response to the Office Action mailed on April 1, 2005, in which claims 1-28 were pending. In the office action, the drawings were objected to, the title was objected to, and claims 1-28 were rejected under 35 U.S.C. 102(b) and 103(a) as being unpatentable over Beulke, U.S. Pat. No. 5,343,762 (hereinafter "the Beulke patent"). With this Amendment, a replacement drawing is provided, the specification is amended, the title is amended, and claims 1, 2, 11, and 18 are amended.

The drawings were objected to because the specification numeral 10 did not appear in FIG. 1, and because the specification at pages 7 and 8 referred to a centerline 44, which did not appear in the drawings. With this amendment, a replacement drawing sheet of FIG. 1 is provided, with reference numeral 10 generally referring to the figure. Additionally, the specification at pages 7 and 8 is amended to refer to centerline "27", which is indicated in FIGS. 2 and 5. With this drawing correction and with the amendment to the specification, the objection to the drawings is overcome and should be withdrawn. Consideration and notice to that effect is requested.

The title of the application was objected to as not descriptive of the invention. With this amendment, the title is amended from "Flow Meter for Use with High Pressure Process Fluid" to "High Pressure Retention Vortex Flowmeter with Reinforced Flexure". With this amendment, the objection to the title is overcome and should be withdrawn. Consideration and notice to that effect is requested.

Claims 1, 2, 4, 10-12, 16 and 18-20 were rejected under 35 U.S.C. 102(b) as being anticipated by the Beulke patent. As amended, independent claims 1, 11, and 18 include at least one reinforcing rib "spaced from the pivot line". The Beulke patent does not teach or suggest at least one reinforcing rib spaced from the pivot line. Instead, pin 26 in the Beulke patent is

shown on the pivot line. As amended, claims 1, 11 and 18 are allowable over the cited reference.

Claim 2 is amended to indicate that the at least one reinforcing rib is "spaced from the pivot line by approximately one-quarter of a diameter of the region of reduced thickness". This feature is not taught or suggested by the Beulke patent. Therefore, claim 2 is allowable over the Beulke patent.

Claims 4, 10-12, 16, 19 and 20 depend from allowable independent claims 1, 11, or 18. Therefore, claims 4, 10-12, 16, 19 and 20 are allowable over the cited art.

Finally, claims 3, 5-9, 13-15, 17, and 21-28 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Beulke patent. The Office Action states that

"It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide additional reinforcing structure since providing additional reinforcing ribs in addition to the one provided in the center would enhance addition protection to the device and thus protecting the device from damages. (sic)"

See Office Action, p. 3, paragraph 6. However, contrary to this assertion, it is not obvious to add reinforcing ribs to the region of reduced thickness. The vortex flowmeter must be able to sense fluid vortices. In order to sense vortices, the flexure or region of reduced thickness must be sufficiently thin to permit movement of a post coupled to the shedding bar through the flexure (see App. p. 3, lines 4-11). The wall region has reduced thickness in order to permit such movement. The addition of reinforcing ribs to the region of reduced thickness increases the thickness of the flexure, which could have limited such movement, making the flowmeter less sensitive to vortices and therefore less effective in measuring flow. However, as described in the present application at p. 11, the addition of the reinforcing ribs actually improved the sensitivity of the flow meter, as much

as 20 percent in some instances. Consequently, it is not at all obvious that the reinforcing ribs could be added to the flexure without adversely effecting the sensitivity of the flowmeter. Thus, the obviousness rejection of claims 3, 5-9, 13-15, 17, and 21-28 is overcome and should be withdrawn.

With this amendment, all of pending claims 1-28 are in condition for allowance. Consideration and notice to that effect is respectfully requested. The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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